

**IN THE HIGH COURT OF SINDH, BENCH AT
SUKKUR.**

Crl. Bail Application No. S- 469/2022.

Date of hearing	Order with signature of Judge
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1. For orders on office objection at Flag 'A'.
2. For hearing of bail application.

ORDER.
28.11.2022.

Mr. Muhammad Qayoom Arain, Advocate for Applicants / accused.

Mr. Riaz Hussain Solangi, Advocate for complainant.

Syed Sardar Ali Shah, Additional Prosecutor General.

NAIMATULLAH PHULPOTO J., Through this order, I intend to dispose of pre-arrest bail application filed on behalf of applicants/accused Ghulam Sarwar and Farhad Hussain in crime No. 24/2022, for offence under sections 337-F(iii), 337-F(i), 337-L(ii), 337-A(i), 149, 504, 34 PPC registered at Police Station Mithiyani. Prior to this, applicants applied for pre-arrest bail before learned Sessions Judge Naushehro Feroze, however, prayer for pre-arrest bail was dismissed vide order dated 11.08.2022, hence, they have filed instant pre-arrest bail application.

2. Learned advocate for applicants contended that applicants caused injuries to injured persons on non-vital parts of body. It is further submitted that investigation is complete and alleged offence does not fall under prohibitory clause of section 497 Cr.P.C. Lastly, it is submitted that parties have entered into compromise and compromise application is likely to be submitted before trial Court.

3. Complainant Ali Waqar present in Court and recorded his no objection.

4. Learned Additional Prosecutor General submits that offences are compoundable and complainant has recorded his no objection for confirmation of pre-arrest bail.

5. I have heard learned counsel for the parties and perused relevant record. I am inclined to confirm pre-arrest bail to applicants for the reasons that injuries caused by applicants to injured Ali Waqar and Ashique Ali were on non-vital parts of their bodies. Investigation is complete. Alleged offences do not fall under prohibitory clause of Section 497 Cr.P.C. It is also stated that there is compromise application between the parties and compromise application is likely to be submitted. For the above stated reasons interim pre-arrest bail already granted to applicants / accused Ghulam Sarwar and Farhad Hussain vide order dated 26.09.2022 is hereby confirmed on same terms and conditions.

6. The aforesaid bail application stands disposed of in the above terms.

J U D G E

Irfan/P.A